

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
CATHERINE C. BLAKE
UNITED STATES DISTRICT JUDGE

U.S. COURTHOUSE
101 WEST LOMBARD STREET
BALTIMORE, MARYLAND 21201
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October 11, 2019


MEMORANDUM TO COUNSEL RE: Capital Funding, LLC v. Avi "Zisha" Lipschutz et al.
Civil Action No. CCB-18-0215

Dear Counsel:

The court has received and granted the stipulation of dismissal as to Mr. Avi "Zisha" Lipschutz (ECF 53), and therefore intends to deny Mr. Zisha Lipschutz's motion for leave to file an amended answer and modify the scheduling order (ECF 29) and Capital Funding's motion for summary judgment (ECF 34) as to Mr. Zisha Lipschutz as moot. Accordingly, the court requests supplemental briefing from Capital Funding and Mr. Larry Lipschutz as to the effect of the dismissal, if any, on Capital Funding's motion for summary judgment (ECF 34) as to Mr. Larry Lipschutz and Mr. Larry Lipschutz's motion for leave to file an amended answer to the complaint (ECF 45).¹ Please limit the supplemental briefing to three pages or less and submit it to the court within 21 days of the date of this Order.

Despite the informal nature of this letter, it is an Order of the Court and shall be docketed as such.

Sincerely yours,

/s/ 

Catherine C. Blake
United States District Judge

¹ In particular, please address the proposed sale-related defenses, which Mr. Larry Lipschutz incorporated by reference in his motion for leave. The parties, if they wish, may also address the motion to compel and for sanctions (ECF 25) to the extent that the motion is also affected by Mr. Zisha Lipschutz's dismissal.